

PART B - FEE(S) TRANSMITTAL

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65913 7593 04/05/2009

NXP, B.V.
 NXP INTELLECTUAL PROPERTY DEPARTMENT
 M/S41-SJ
 1109 MCKAY DRIVE
 SAN JOSE, CA 95131

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(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587.607	07/27/2006	Francesco Pessolano	NLO40077US1	9957

TITLE OF INVENTION: METHOD AND APPARATUS FOR OVER CLOCKING IN A DIGITAL PROCESSING SYSTEM

APPL. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEES DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	07/06/2009
EXAMINER	ART UNIT	CLASS-SUBCLASS				
BALE, JI H	2115	713-500000				

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (for Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 2.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

NXP B.V.

(B) RESIDENCE (CITY and STATE OR COUNTRY)

EINDHOVEN, NETHERLANDS

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

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5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

David A. Cordeiro

Date

4/6/09

Typed or printed name

Registration No.

48134

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. 65913

Dear Sir:

The Examiner's statement for allowance could be construed to imply that the claimed invention was allowed because the references of record did not disclose certain aspects of the invention related to management of packet-type data communication. The characterized aspects, however, if indeed found in the prior art, would not render the claimed invention invalid under §102 because the claimed invention includes a number of other limitations. With respect to §103, the rigors of establishing a prima facie case of obviousness include not only showing that the prior art teaches the entire claimed invention (all limitations are to be considered), but also that combining the various prior art references is suggested in the art or that there would be motivation to make the combination. The Reasons provided do not appear to be necessarily inconsistent herewith.

Unless Applicant hears otherwise, Applicant's comments herein are, as intended, clarifying in a manner consistent with the law.

Respectfully submitted,

David A. Cordeiro
Reg. No.: 48,134
NXP Semiconductor
1109 McKay Drive
San Jose, CA 95131
(408) 474-9057